

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JERRY G. BURGOS,	:	CIVIL ACTION NO. 1:08-CV-0478
Petitioner	:	(Judge Conner)
	:	
v.	:	
	:	
ROBERT D. SHANNON and	:	
PA STATE ATTORNEY GENERAL,	:	
Respondents	:	

ORDER

AND NOW, this 21st day of May, 2008, upon consideration of the report of the magistrate judge (Doc. 2), to which no objections were filed, recommending that the petition for writ of habeas corpus (Doc. 1) pursuant to 28 U.S.C. § 2254 be dismissed, and, following an independent review of the record, it appearing that the petition in the above-captioned matter is duplicative of one filed in the civil action docketed at No. 1:07-CV-1948, see Rauser v. Kyler, No. Civ. A. 96-1416, 1996 WL 171534, at *1 (E.D. Pa. Apr. 10, 1996) (dismissing duplicate habeas petition filed under § 2254), it is hereby ORDERED that:

1. The report and recommendation of the magistrate judge (Doc. 2) is ADOPTED.
2. The petition for writ of habeas corpus (Doc. 1) is DISMISSED.
3. A certificate of appealability is DENIED. See 28 U.S.C. § 2253(c).
4. The Clerk of Court is directed to CLOSE this case.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge